

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUKE D. BRUGNARA,

Defendant.

No. CR 14-00306 WHA

No. CR 08-00222 WHA

**REQUEST FOR RESPONSE
RE DEFENDANT'S MOTION
TO PROCEED PRO SE**


Defendant Luke D. Brugnara has recently filed several handwritten motions (No. 14-CR-306, Dkt. Nos. 653-58). One of those motions is entitled "Notification and Affirmation of Luke Brugnara's *Pro Se* Status." After the verdict, however, defendant requested and received the appointment of counsel for all purposes, Attorneys George Boisseau and Dena Young, and is thus no longer proceeding in a *pro se* capacity (No. 14-CR-306, Dkt. No. 639). The recently filed motion regarding the affirmation of his *pro se* status, therefore, must be treated as a fresh motion by defendant to waive his right to counsel and represent himself. In light of his contumacious and disruptive behavior at trial, there is a question as to whether defendant should be deemed to have forfeited his right to self representation.

By **NOON ON JUNE 19, 2015**, both sides are requested to submit a memorandum and accompanying declarations addressing the issue of whether defendant's contumacious and disruptive behavior in representing himself should warrant a finding that he has forfeited his right to self representation.

1 Until this issue is resolved, defendant's pending motion to proceed *pro se* shall be **HELD**
2 **IN ABEYANCE**. Meanwhile, all other motions defendant has filed are unauthorized, as he is
3 currently represented by counsel, and will thus be **HELD IN ABEYANCE**. For the time being, all
4 defense motions must be submitted through defense counsel, Attorneys Boisseau and Young.

5 For the purposes of the filings due on June 19, the Court would prefer all defense filings
6 to be made by defense counsel on defendant's behalf. The Court, however, will permit
7 defendant to file his own response, if he desires, to the issue of forfeiture of his *pro se* status.
8 This will be a one-time exception to the rule that only defense counsel may speak or make
9 written filings on defendant's behalf.

10
11
12
13 Dated: June 4, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE